leans would receive the $10.75 out a plan to try to get the

MARCELLO ARRESTED ON NEW CHARGE

S-1 6/18/70

Rackets figure Carlos Marcello was taken into custody today by federal officials after a U.S. Grand Jury indicted him on charges of illegal presence in the United States.

Marcello was led into the Wild Life and Fisheries building in handcuffs about 2 p.m.

The indictment was returned before Federal District Judge James A. Comiskey at 11:30 a.m. at the request of the U.S. Attorney's office. The indictment was sealed and not released for publication.

A WARRANT of arrest was issued for Marcello and the indictment was unsealed shortly after 2 p.m.

There was no word as to where Marcello was arrested. He lives in Metairie.

Marcello has been under federal deportation orders for years because of a narcotics conviction. Always before, efforts to deport him have failed because no country will accept him.

THE RACKETS figure was born in Tunis, North Africa, when that land belonged to Italy. But neither the new nation of Tunisia nor Italy will accept him.

In 1964, the justice department arrested him and flew him to Guatemala, claiming he was born there. But a Guatemalan court ruled the birth documents fraudulent. Marcello returned to New Orleans.

U.S. attorney Gerald Gallinghouse said the indictment charges "that Marcello, alias Calogero Minacori, an alien, was found in New Orleans June 17, 1970; that Marcello on April 4, 1961, was deported from the U.S., did not apply for readmission and that the attorney general did not consent to his reentry."

GALLINGHOUSE said Mar-

See MARCELLO—Page 6

Marcello

Continued from Front Page

cello was by law required to apply for reentry. He said the indictment followed several months of "thorough research and careful study."

He said maximum punishment is two years, a $1,000 fine, or both.

Marcello also faces a jail term on a conviction for assaulting a Federal Bureau of Investigation agent.

MEANWHILE, attorneys for Marcello today told the U.S. Fifth Circuit Court of Appeal they intend to ask for a rehearing of Marcello's case before the U.S. Supreme Court and a new trial in district court "on the grounds of newly discovered evidence."

They asked the court to stay its mandate denying Marcello's appeal from the conviction and two-year sentence for assaulting and intimidating an agent of the Federal Bureau of Investigation.

THE ASSAULT took place at New Orleans International Airport in 1966 after Marcello returned from New York.

At his trial in Houston where he also was assassed a $5,000 fine, Marcello contended he thought the agent was a newsman.

As of mid-afternoon no action was taken on Marcello's petition for a stay order.